

1635
PATENT

Case Docket No. ELITRA.011A

Date: June 27, 2003

Page 1

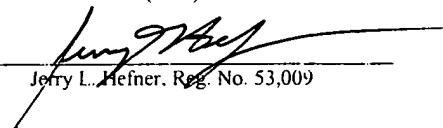
In re application of : Haselbeck, et al.
App. No. : 09/815,242
Filed : March 21, 2001
For : IDENTIFICATION OF ESSENTIAL
GENES IN PROKARYOTES
Examiner : Terra C. Gibbs
Art Unit : 1635

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 27, 2003

(Date)


Jerry L. Hefner, Reg. No. 53,009

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

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JUL 07 2003

TECH CENTER 1600/2900

Sir:

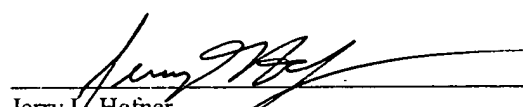
Transmitted herewith is Response to Office Action in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	102	100	= 2 x	\$9	= \$18
Independent Claims	45	45	= 0 x	\$42	= \$0
If application has been amended to contain multiple dependent claim(s), then add				\$140	= \$0
Time Extension Fee					\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$18

(X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

-
- (X) Return prepaid postcard.
- (X) A check in the amount of \$18 is enclosed.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Jerry L. Hefner
Registration No. 53,009
Attorney of Record
Customer No. 20,995
(619) 235-8550

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ELITRA.011A



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Haselbeck, et al.
Appl. No. : 09/815,242
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RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a response to the Restriction Requirement mailed on June 03, 2003 (Paper Number 17) in connection with the above-identified application. Applicants appreciate the Examiner's thoughtful consideration of the arguments previously submitted in response to the prior Restriction Requirements issued in this application.

Applicants respectfully request that the Examiner enter the following elections and consider the following remarks. With respect to the Examiner's instant Restriction Requirement, Applicants provisionally elect with traverse the *ypnC* antisense nucleic acid of SEQ ID NO: 1463, the *ypnC* sense nucleic acid of SEQ ID NO: 4228 and the YphC polypeptide of SEQ ID NO: 12600. With respect to the Examiners additional requirement that a species be elected for claims 48, 50, 88 and 90, Applicants provisionally elect *Staphylococcus aureus* with traverse.

In addition to the above elections, Applicants respectfully request that the Examiner enter the following claim amendments.

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